

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

-

W.A.No. 2610 of 2005

Between:

Polisetty Srinivas & others

.... Appellants

and

The Executive Engineer, Roads & Buildings Department, Kakinada & others

.... Respondents.

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W.A.No. 2610 of 2005

JUDGMENT: *(per the Hon'ble Sri Justice B. Prakash Rao)*

Heard the learned counsel on either side and at their request the main appeal itself is taken up for disposal at the stage of admission.

The unsuccessful writ petitioners are the appellants herein, who seek to assail the order, dated 12.12.2005, passed by the learned Single Judge in W.P.No.27356 of 2005, which was filed challenging the action of the respondents herein in trying to demolish the shopping complex for the purpose of road widening.

Though several contentions are raised on behalf of the learned counsel for the petitioners-appellants and the learned standing counsel appearing for the respondents, having not satisfied thereby and especially having regard to the fact that the demolition of the premises in question is only for the purpose of road widening in order to avoid congestion and to see the free movement of traffic, the learned single Judge did not find favour with the appellants herein and directed them to file necessary representations before the third respondent herein for providing alternative accommodation or sites, if available.

Having heard the learned counsel on either side and also on perusal of the material available on record and especially in view of the findings as arrived at by the learned Single Judge, and the exigency of the action taken on the part of the respondents herein, we do not find any merit in the appeal.

The writ appeal is accordingly dismissed. There shall be no order as to costs.

(B.PRAKASH RAO.J)

(D. APPA RAO.J)

ksld

Dt.13.02.2006